

IN RE CHILD OF CLINTON B.

Submitted on Briefs October 19, 2022

Decided October 27, 2022

Panel: STANFILL, C.J., and MEAD, JABAR, HORTON, CONNORS, and LAWRENCE, JJ.

MEMORANDUM OF DECISION

Clinton B. appeals from a judgment of the District Court (Rumford, *Ham-Thompson, J.*) terminating his parental rights to his child. The court did not err in finding, by clear and convincing evidence, at least one ground of parental unfitness because, among other reasons, the father never traveled to Maine to have in-person contact with the child, frequently missed Zoom visits with the child, did not actively participate in the child's medical care and needs, and did not engage in the court-ordered parenting classes, drug and alcohol testing, or substance abuse treatment.<sup>1, 2</sup> See 22 M.R.S. § 4055(1)(A)(1)(a), (B)(2)(b)(i), (ii), (iv) (2022); *In re Child of Louise G.*, 2020 ME 87, ¶ 8, 236 A.3d 445.

---

<sup>1</sup> Contrary to the father's contention, the court did not err by not appointing the father counsel until after the father established himself as the child's genetic parent. See 22 M.R.S. § 4005(2) (2022). We have consistently held that *parents* are entitled to counsel in child protection proceedings. See *In re T.B.*, 2013 ME 49, ¶ 14, 65 A.3d 1282; *In re Christopher C.*, 499 A.2d 163, 164-65 (Me. 1985); *Danforth v. State Dep't of Health & Welfare*, 303 A.2d 794, 795, 799-801 (Me. 1973). In this case, the father was a putative father until he established his paternity pursuant to 19-A M.R.S. § 1851 (2022).

<sup>2</sup> Because the court did not err in finding at least one ground of unfitness, we also discern no error or abuse of discretion in the court reaching the best interest of the child analysis and determining that termination of the father's parental rights was in the child's best interest. See *In re Scott S.*, 2001 ME 114, ¶ 19, 775 A.2d 1144. Furthermore, we discern no error or abuse of discretion in the court finding that the Department made reasonable efforts to reunify the father and the child.

The entry is:

Judgment affirmed.

---

Jason A. MacLean, Esq., Bridgton, for appellant father

Aaron M. Frey, Attorney General, and Hunter C. Umphrey, Asst. Atty. Gen., Office of the Attorney General, Augusta, for appellee Department of Health and Human Services

Rumford District Court docket number PC-2020-20  
FOR CLERK REFERENCE ONLY